

SANDS:

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

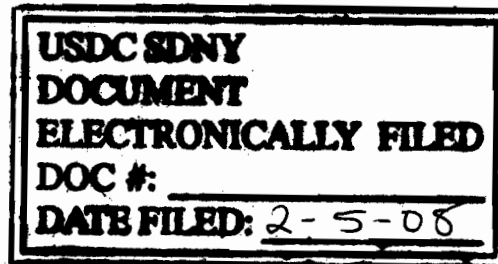
MICHAEL J. SAVENA,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

MERRILL LYNCH & CO., INC., E.
STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING
and JEFFREY N. EDWARDS,

Defendants.

Civil Action No. 07 Civ. 9837 (*lcs*)



NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Michael J.

Savena voluntarily dismisses without prejudice his Complaint in this action.

Respectfully submitted, this 4th day of February, 2008.

CHITWOOD HARLEY HARNES LLP

A handwritten signature in ink, appearing to read "Darren T. Kaplan".

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so ordered
SDS
2/5/08

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